

18418
Patent

Attorney Docket No. 033638-018



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop: Amendment

In re Patent Application of

John Gregory Aceti et al.

Application No.: 10/722,074

Filing Date: November 24, 2003

Title: ANALYTE MONITOR

Group Art Unit: 1743

Examiner: Unassigned

Confirmation No.: 4158

AMENDMENT/REPLY TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Enclosed is a reply for the above-identified patent application.

A Petition for Extension of Time is also enclosed.
 Terminal Disclaimer(s) and the \$55.00 (2814) \$110.00 (1814) fee per Disclaimer due under 37 C.F.R. § 1.20(d) are also enclosed.
 Also enclosed is/are Second Preliminary Amendment/Return Postcard

Small entity status is hereby claimed.
 Applicant(s) requests continued examination under 37 C.F.R. § 1.114 and enclose the \$385.00 (2801) \$770.00 (1801) fee due under 37 C.F.R. § 1.17(e).
 Applicant(s) requests that any previously unentered after final amendments not be entered. Continued examination is requested based on the enclosed documents identified above.
 Applicant(s) previously submitted

on _____, for which continued examination is requested.

Applicant(s) requests suspension of action by the Office until at least _____, which does not exceed three months from the filing of this RCE, in accordance with 37 C.F.R. § 1.103(c). The required fee under 37 C.F.R. § 1.17(i) is enclosed.
 A Request for Entry and Consideration of Submission under 37 C.F.R. § 1.129(a) (1809/2809) is also enclosed.

No additional claim fee is required.

An additional claim fee is required, and is calculated as shown below.

AMENDED CLAIMS					
	No. of Claims	Highest No. of Claims Previously Paid For	Extra Claims	Rate	Additional Fee
Total Claims	73	MINUS 48 =	25	x \$18.00 (1202) =	\$ 450.00
Independent Claims	11	MINUS 6 =	5	x \$86.00 (1201) =	\$ 430.00
If Amendment adds multiple dependent claims, add \$290.00 (1203)					
Total Claim Amendment Fee					\$ 880.00
<input type="checkbox"/> Small Entity Status claimed - subtract 50% of Total Claim Amendment Fee					\$ 0.00
TOTAL ADDITIONAL CLAIM FEE DUE FOR THIS AMENDMENT					\$ 880.00

A check in the amount of \$ 880.00 is enclosed for the fee due.

Charge _____ to Deposit Account No. 02-4800.

Charge _____ to credit card. Form PTO-2038 is attached.

The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17, 1.20(d) and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

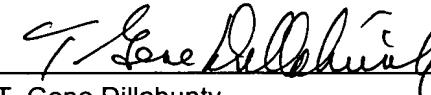
Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

P.O. Box 1404
Alexandria, Virginia 22313-1404
(650) 622-2300

Date: August 23, 2004

By



T. Gene Dillahuntly

Registration No. 25,423

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Date of Deposit August 23, 2004



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of) Mail Stop: Amendment
John Gregory ACETI et al.)
Application No.: 10/722,074) Group Art Unit: 1743
Filed: November 24, 2003) Examiner: Unassigned
For: ANALYTE MONITOR) Confirmation No.: 4158

SECOND PRELIMINARY AMENDMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

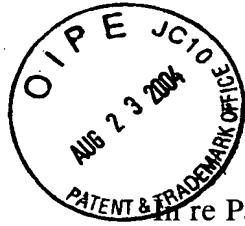
Prior to examination of the above-identified application on the merits, please amend the application as follows.

08/26/2004 JDALINAN 00000084 10722074

01 FC:1201
02 FC:1202

430.00 OP
450.00 OP

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Date of Deposit August 23, 2004



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Attorney's Docket No. 033638-018

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

John Gregory ACETI et al.

Application No.: 10/722,074

Filed: November 24, 2003

For: ANALYTE MONITOR

) Mail Stop: Amendment
)
) Group Art Unit: 1743
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) Examiner: Unassigned
)
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SECOND PRELIMINARY AMENDMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Prior to examination of the above-identified application on the merits, please amend the application as follows.

IN THE CLAIMS:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Claims 1-7 (Canceled).

Claims 8-47 are pending in the application.

Please add the following new claims 48-80.